

### REMARKS

The present amendment and request for reconsideration is filed in response to the Office Action mailed May 5, 2004, the period of response having been extended until November 5, 2004. Claims 29-46 remain pending in the application.

In the Office Action, the Examiner rejected Claims 29-46 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner indicated that Claim 29 recites a preamplifier that receives a signal from electrode wires. However, the Examiner stated that it was clear from the specification that the electrode wires pass through a protection circuit prior to reaching the preamplifier. Therefore, the Examiner believes that this feature of Claim 29 lacks adequate written description in the specification. Applicant respectfully traverses the rejection. As stated on page 8, lines 16-24 of the application, the input stage of the preamplifier itself acts as a protection stage. Applicants therefore submit that Claim 29 is described in the specification. It is therefore requested that the Examiner withdraw the rejection.

Claims 29-46 were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Specifically, the Examiner stated that it was unclear in Claim 29 whether the electrode wires are the same electrode wires recited in the preamble. In response, applicant has amended Claim 29 to indicate that the preamplifier has a pair of inputs for receiving signals from the pair of electrode wires. In light of the amendment, it is requested that the Examiner withdraw the rejection.

Claims 29, 31, 32, and 40-46 were rejected under 35 U.S.C. § 102(b) as being anticipated by the article to Papathanasiou. In the Office Action, the Examiner admits that the second protection circuit is not a resistor in parallel with a capacitor. However, the Examiner takes

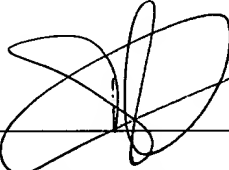
official notice that a resistor/capacitor in parallel is a known filter circuit that is readily interchangeable with the filter of Papathanasiou. Applicant respectfully traverses the rejection.

Nothing in the Papathanasiou reference appears to teach or suggest an implantable amplifying circuit having a first and second protection circuit where one protection circuit is provided by the input MOSFET transistors and a second protection circuit is disposed in series with a common signal line. The input protection circuit described in the Papathanasiou article is disclosed as being an AC coupling capacitor/resistor combination that is supplied to an input at the amplifier. See Figure 2. Nothing in the Papathanasiou reference suggests an implantable amplifier system that includes, among other features, a second protection circuit that is disposed in series with a common signal line that connects a body ground to a common voltage of the amplifier circuit. Because at least this aspect of Claim 29 is not taught or suggested by the cited reference, it is submitted that Claim 29 and the claims that are dependent thereon are allowable. It is therefore requested that the Examiner withdraw the rejections and pass this case to issue at the earliest possible date.

Respectfully Submitted,

Date: \_\_\_\_\_

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